

REMARKS

Claims 1-5 are pending prior to the present amendment.

Claims 3 and 5 have been amended to independent form by including all limitations from claim 1.

Claims 1, 3 and 5 are now independent claims. Claims 2 and 4 are dependent from claim 1.

ARGUMENTS AGAINST FINALITY

The present claims are rejected based, in part, on Moore. Moore is newly cited art thereby rendering the finality inappropriate.

Absent an allowance Applicants respectfully request that the finality of the rejections be withdrawn.

REJECTIONS UNDER 35 U.S.C. 103

Claims 1, 2 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Winslow in view of Moore '901. Hampton (USP 5,806,867) is further cited.

Winslow is cited as disclosing a device comprising many of the elements of the claimed invention. The Office admits, and Applicant agrees, that Winslow does not specifically disclose a cutting element comprising at least one line.

Newly cited Moore is combined with Winslow to provide those elements otherwise lacking.

Moore is specific to a stringed mower and details the intended use of such a mower. In col. 8, lines 1-3, Moore sets forth the typical use of a mower as indicated in the passage:

"The lawn mower 2 will be moved progressively in a forward motion so as to cut a suitable swath across the lawn or greensward."

It is clear that the typical and preferred use of string trimmers is to move in a linear forward motion thereby generating a swath of cut grass. One of skill in the art would be led away from a handle which is contrary to the intended use of the mower upon which it is attached.

The Office has further argued that Winslow discloses that the connection may be used on a lawn mower. Moore goes to great length to distinguish between a lawn mower utilizing a rigid blade and an edge trimmer utilizing a string cutter. The attention of the Office is drawn to col. 3 lines 30-35 wherein stated is:

"There is a basic functional distinction between a lawn mower per se, however, and a device which is more accurately denoted as an "edge/trimmer," and this distinction must be clearly understood to appreciate the reason why it has not been possible to merely replace a steel blade with a Weed Eater trimmer head assembly."

Moore then proceeds in the passages that follow to distinguish a lawn mower from a string trimmer referred to therein as an edger/trimmer.

The Office ignores this clear teaching from one of skill in the art and concludes that it would be obvious to combine a string trimmer, as taught by Moore, with features of a lawn mower to arrive at the present invention. Applicants submit that this is merely hind sight construction based on the present application and multiple written and oral discussions related thereto during prosecution of the present and preceding claims. This hindsight construction is contrary to the teachings of Moore. Moore clearly teaches the differences between lawn mowers and string trimmers. Moore also clearly teaches that the mechanism of use for a string trimmer is in a forward direction and therefore one would not be expected to consider changing the handle to one which deviates from this typical use.

Hampton is cited as an alternative to Winslow. Hampton is specific to a bucket trolley and no guidance concerning any type of mowing operation is provided.

The rejection of claims 1, 2 and 4 under 35 U.S.C. 103(a) as being unpatentable over Winslow in view of Moore is traversed. Notice thereof is respectfully solicited.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winslow in view of Moore '901 and further in view of Yamada.

The inapplicability of Winslow and newly cited Moore '901 is discussed previously and all previous arguments are relevant herein as well.

Yamada is cited as disclosing a trimmer with a lower grip. Yamada describes the problem associated with swinging the cutting implement and the necessity for a handle. If the device is not swung there would be no inertial forces to overcome, as described in col. 1 second paragraph, and therefore no need for a handle.

In summary, Winslow and Moore fail to teach the basic invention and Yamada fails to mitigate the deficiencies of these primary references. Furthermore, Yamada teaches a handle to solve a problem which does not exist. Therefore, one of skill in the art would not be inclined to add an element to solve a non-existent problem except in hindsight.

Applicants respectfully submit that the rejection of claim 3 under 35 U.S.C. 103(a) is improper and removal is respectfully requested.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winslow in view of Moore as applied to claim 1 and further in view of Knox, Jr.

The inapplicability of Winslow and newly cited Moore '901 is discussed previously and all previous arguments are relevant herein as well.

Knox, Jr. is cited as disclosing an electric motor. Knox Jr. fails to mitigate the deficiencies of the primary references with which it is combined. Even with the teachings of Knox Jr. one of skill in the art would still not be expected to combine Winslow and Moore '901 to arrive at the instant application.

Applicants respectfully submit that the rejection of claim 5 under 35 U.S.C. 103(a) is improper and removal is respectfully requested.

CONCLUSIONS

Claims 1-5 are pending in the present application. All claims are in condition for allowance and notice thereof is respectfully requested.

Respectfully submitted,


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